

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS & ST. JOHN

ROBERT E. GLENN, as Trustee)
of the T.A. CARTER, Jr. and)
JEANETTE W. CARTER REVOCABLE)
TRUST,)

Plaintiff,)

v.)

OSWAINIO DUNLOP,)

Defendant.)

Civil No. 2005-145

ATTORNEYS:

Gregory H. Hodges, Esq.
St. Thomas, U.S.V.I.
For the Plaintiff.

Oswainio Dunlop,
Pro Se.

ORDER

GÓMEZ, C.J.

Before the Court is the motion of the plaintiff, Robert E. Glenn, as Trustee of the T.A. Carter, Jr. and Jeanette W. Carter Revocable Trust, for partial summary judgment against the *pro se* defendant, Oswainio Dunlop.

Summary judgment is appropriate if "the pleadings, the discovery and disclosure materials on file, and any affidavits show that there is no genuine issue as to any material fact and that the movant is entitled to judgment as a matter of law." FED. R. Civ. P. 56(c); *see also Hersch v. Allen Products Co.*, 789 F.2d

230, 232 (3d Cir. 1986).

In this matter, there are genuine questions of material fact that cannot be decided at the summary judgment stage of these proceedings. Those questions thus remain for trial.

For the reasons given above, it is hereby

ORDERED that the motion for partial summary judgment is
DENIED.

S_____
CURTIS V. GÓMEZ
Chief Judge

copy: Gregory H. Hodges, Esq.
Oswainio Dunlop, *Pro Se*